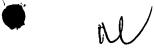


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/473,988	12/29/1999	TOSHIKAZU INOUE	991493	1714
23850 7590 06/04/2003 ARMSTRONG,WESTERMAN & HATTORI, LLP 1725 K STREET, NW SUITE 1000			EXAMINER	
			DOAN, THERESA T	
WASHINGTON, DC 20006			ART UNIT	PAPER NUMBER
			2814	
			DATE MAILED: 06/04/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	plicant(s)			
Advisory Action	09/473,988	INOUE ET AL.			
Advisory Action	Examiner	Art Unit			
	Theresa T Doan	2814			
The MAILING DATE of this communication appe	ears on the cover sheet with the c	orrespondence add	ress		
THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.					
	EPLY [check either a) or b)]		•		
a) The period for reply expires <u>04</u> months from the mailing date b) The period for reply expires on: (1) the mailing date of this Advevent, however, will the statutory period for reply expire later the ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The data have been filed is the date for purposes of determining the period of exter 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortene (b) above, if checked. Any reply received by the Office later than three meanned patent term adjustment. See 37 CFR 1.704(b).	visory Action, or (2) the date set forth in the nan SIX MONTHS from the mailing date of FILED WITHIN TWO MONTHS OF THe date on which the petition under 37 CFR 1, asion and the corresponding amount of the set of the period for each originally set in the set of the period for each originally set in	E FINAL REJECTION. 136(a) and the appropriate estate in the sinal Office action: 0	See MPEP te extension fee ktension fee under r (2) as set forth in		
1. A Notice of Appeal was filed on Appellant 37 CFR 1.192(a), or any extension thereof (37 CF	-R 1.191(a)), to avoid distrilssai	period set forth in of the appeal.			
2. The proposed amendment(s) will not be entered I	because:				
(a) they raise new issues that would require furth	her consideration and/or search	(see NOTE below)	,		
(b) ☐ they raise the issue of new matter (see Note	below);				
(c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or					
(d) they present additional claims without cance	eling a corresponding number o	f finally rejected cla	iims.		
NOTE:					
3. Applicant's reply has overcome the following reje	ection(s):	soporato timely fil	ed amendment		
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).					
5.⊠ The a) ☐ affidavit, b) ☐ exhibit, or c) ⊠ request application in condition for allowance because:	See Continuation Sheet.				
6. The affidavit or exhibit will NOT be considered by the Examiner in the final rejection.	ecause it is not directed SOLEL				
7.⊠ For purposes of Appeal, the proposed amendme explanation of how the new or amended claims	ent(s) a)⊡ will not be entered or would be rejected is provided b	· b)⊠ will be entere elow or appended.	ed and an		
The status of the claim(s) is (or will be) as follow					
Claim(s) allowed: <u>2,4,7 and 9</u> .					
Claim(s) objected to:					
Claim(s) rejected: <u>1,3,5,6,8 and 20</u> .					
Claim(s) withdrawn from consideration:		=			
8. The proposed drawing correction filed on	is a) ☐ approved or b) ☐ disa	approved by the Ex	aminer.		
9. Note the attached Information Disclosure Stater	nent(s)(PTO-1449) Paper No(s)			
10. Other:	٢	Ngan Van Ngo Primary Framinar	/		
1					

Continuation of 5. does NOT place the application in condition for allowance because:

- 1) Claims 2, 4, 7 and 9 are now allowed.
- 2) Applicant argues on pages 1-2 that Taniguchi et al. disclose "an H content of (HSiO 3/2)n before curing would have a value of 28.6 atom%" and does not disclose "any condition with respect to curing on which the H content would be not less than 15.4 atom %". The argument is not persuasive because Taniguchi et al. clearly teach in figure 1, column 6, lines 20-24 that "organic films may be used for the SOG film 2. Instead of organic films, an inorganic material including ... Hydrogen Silsesquioxane (HSiO3/2)n may also used in place of the SOG film 2."; an inorganic material including (HSiO3/2)n is a final product, therefore," an H content of (HSiO3/2)n before curing would have a value of 28.6%" is not truth. Applicant's argument about "an H content of (HSiO 3/2)n before curing would have a value of 28.6 atom%" is not supported by Taniguchi. Applicant is requested to show where the teaching of "an H content of (HSiO 3/2)n before curing would have a value of 28.6 atom%" in Taniguchi. However, Taniguchi teaches a first insulating layer 2 has an H content of not less than 15.4 atom % in the composition (HSiO3/2) (see column 6, lines 20-24).

Furthermore, the limitation of "an H content of (HSiO 3/2)n before curing would have a value of 28.6 atom%" does not recite in the claimed language. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).